



The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

January 11, 2006

Vermillion  
Attn: Roy Simpson  
120 Northeast Boulevard  
Nashua, NH 03062

Re: Docket No. AF 03-032 – Vermillion

Dear Mr. Simpson:

Enclosed for your records is a copy of the fully executed and accepted Administrative Fine by Consent Amendment in the above-captioned matter.

On behalf of the Department of Environmental Services, thank you for your cooperation in resolving this matter.

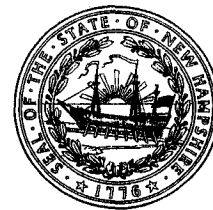
Sincerely,

**COPY**  
Michael J. Scafani,  
Legal Assistant

cc: Anthony P. Giunta, P.G., Director, Waste Management Division  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Kerry D. Barnsley, Compliance Attorney, DES Legal Unit  
DES Public Information Officer  
Linda Birmingham, DES WMD



The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

Vermillion  
120 Northeastern Boulevard  
Nashua, NH 03062

**AMENDMENT TO  
ADMINISTRATIVE FINE BY CONSENT**

**No. AF 03-032**

**I. INTRODUCTION**

This Amendment to Administrative Fine by Consent No. AF 03-032 is issued by the Department of Environmental Services, Waste Management Division ("DES") to and with the consent of Vermillion, Inc., pursuant to RSA 147-A:17-a. This Amendment is effective upon signature by all parties.

**II. AMENDMENT**

With the understanding that as of October 28, 2005 Vermillion has expended \$1,666 in approved printing costs for the Supplemental Environmental Project ("SEP") contemplated in the original agreement, DES and Vermillion, Inc., agree to the following revisions to the Administrative Fine by Consent No. AF 03-032.

1. Paragraph "V.5" shall be deleted and replaced entirely by the following Paragraph "V.5a-f" as follows:

5. Vermillion shall expend at least \$16,133 to print environmental educational materials ("Printing Project") for the Environmental Hazards Management Institute ("EHMI") or another non-profit organization approved by DES. Vermillion shall notify EHMI of the Printing Project donation and submit to DES within fourteen (14) days of the final execution of this agreement written acceptance by EHMI of this donation. Vermillion shall complete this Printing Project no later than June 12, 2006 and shall certify to DES on that date that the SEP has been performed and at least \$16,133 in retail printing costs were incurred. Vermillion shall submit with this certification copies of purchase orders and receipts, not already submitted. If the final cost of the Printing Project does not reach the \$16,133 commitment, then any difference will be paid to the State of New Hampshire Hazardous Waste Cleanup Fund by the same method set out in paragraph "V.6" no later than June 12, 2006. A further schedule of expenditures or payments shall be as follows:

- a. By January 10, 2006, Vermillion shall submit invoices or purchase orders certifying that a minimum of \$2,412 was expended on the Printing Project from July 2005 through December 2005. Vermillion shall also submit any invoices or purchase orders from June 7, 2004 through July 2005 not previously credited under the Printing Project. Any amount less than the \$2,412 commitment shall be paid in accordance with paragraph "V.6" by January 10, 2006. Any amount more than the \$2,412 commitment shall be credited toward Vermillion's next submittal.
- b. By February 10, 2006, Vermillion shall submit invoices or purchase orders certifying that a minimum of \$2,412 was expended on the Printing Project for the month of January. Any amount less than the \$2,412 commitment shall be paid in accordance with paragraph "V.6" by February 10, 2006. Any amount more than the \$2,412 commitment shall be credited toward Vermillion's next submittal.
- c. By March 10, 2006, Vermillion shall submit invoices or purchase orders certifying that a minimum of \$2,412 was expended on the Printing Project for the month of February. Any

**P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095**

Telephone: (603) 271-2900 • Fax: (603) 271-2456 • TDD Access: Relay NH 1-800-735-2964

DES Web site: [www.des.nh.gov](http://www.des.nh.gov)

amount less than the \$2,412 commitment shall be paid in accordance with paragraph "V.6" by March 10, 2006. Any amount more than the \$2,412 commitment shall be credited toward Vermillion's next submittal.

- d. By April 10, 2006, Vermillion shall submit invoices or purchase orders certifying that a minimum of \$2,412 was expended on the Printing Project for the month of March. Any amount less than the \$2,412 commitment shall be paid in accordance with paragraph "V.6" by April 10, 2006. Any amount more than the \$2,412 commitment shall be credited toward Vermillion's next submittal.
- e. By May 10, 2006, Vermillion shall submit invoices or purchase orders certifying that a minimum of \$2,412 was expended on the Printing Project for the month of April. Any amount less than the \$2,412 commitment shall be paid in accordance with paragraph "V.6" by May 10, 2006. Any amount more than the \$2,412 commitment shall be credited toward Vermillion's next submittal.
- f. By June 12, 2006, Vermillion shall submit invoices or purchase orders certifying that a minimum of \$2,407 was expended on the Printing Project for the month of May. Any amount less than the \$2,407 commitment shall be paid in accordance with paragraph "V.6" by June 12, 2006.

2. Paragraph "V.6" shall be deleted entirely and replaced with the following:

- 6. Payment under Paragraph V.4 and any payments that become due under Paragraph V.5 shall be paid by certified check made payable to "Treasurer, State of New Hampshire" and shall be mailed to:

DES Legal Unit  
Attn: Michael Sclafani, Legal Assistant  
PO Box 95 Concord, NH 03302-0095

In all other respects, the Administrative Fine by Consent dated June 7, 2004 remains in full force and effect.

VERMILLION

**COPY**

By: Roy Simpson, President  
Duly Authorized

12/27/05  
Date

DEPARTMENT OF ENVIRONMENTAL SERVICES

**COPY**

For Anthony Giunta, P.G., Director  
Waste Management Division

1/4/06  
Date

**COPY**

Michael J. Nolin, Commissioner

01 11 06  
Date

# INVOICE

Vermillion, Inc.  
14 A Street  
Derry Industrial Park  
Derry, NH 03038-1700  
Phone: 800-258-6228  
Fax: 603-432-1993

Invoice Number 1482  
Invoice Date 11/08/2005  
Sales Rep 001  
Terms Net 30

Bill To SBDC  
420 Main Street  
Nashua, NH 03062

Andrea O'Brien

<u>Ordered</u>	<u>Shipped</u>	<u>Description</u>	<u>PO Number</u>	<u>Unit Price</u>	<u>Price</u>
150	150	State of NH Training Brochure Prep and printing of brochures		\$6,589.75	\$6,589.75

Sub Total:	\$6,589.75
Freight Cost:	\$0.00
Sales Tax:	\$0.00
Prepaid:	\$0.00
Balance Due:	\$6,589.75

# INVOICE

ermillion, Inc.  
0 Northeastern Blvd.  
ashua, NII 03062

one: 800-258-6228  
x: 603-432-1993

Invoice Number S23691  
Invoice Date 07/30/2004  
Sales Rep 041  
Terms Net 30

ll To NII Grocer's Association  
110 Stark Street  
Manchester, NII 03101

<u>Ordered</u>	<u>Shipped</u>	<u>Description</u>	<u>PO Number</u>	<u>Unit Price</u>	<u>Price</u>
1,000	1,000	NII Grocer's Brochure - OSIIA Economic Guidelines 2/2 Flat Size: 8.5x11 Stock: 80# Finch Opaque Text Finishing: Trim and letterfold Packaging: Bulk pack  Output from disk,show proofs, print, bind and pack		\$814.00	\$814.00

Sub Total:	\$814.00
Freight Cost:	\$0.00
Sales Tax:	\$0.00
Prepaid:	\$0.00
Balance Due:	\$814.00